



# CITY OF LODI

## COUNCIL COMMUNICATION

AGENDA TITLE: An Ordinance Amending Lodi Municipal Code 2.04.070  
Establishing the Time for Election of a Mayor in Non-General  
Election Years

MEETING DATE: July 20, 1994

PREPARED BY: City Attorney

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RECOMMENDED ACTION: Council consideration and possible introduction of  
Ordinance No. 1599.

BACKGROUND INFORMATION: A proposal was recently made by Councilmember Phillip  
Pennino recommending that the date for election of a  
Mayor in years where there is no general statewide  
election be moved from the first regular meeting in November to the first  
regular meeting in December. The purpose of this amendment would be to more  
nearly provide equal terms for mayors appointed in years where there was no  
general election with the terms of those mayors appointed during general  
election years.

Frequently in election years, it is necessary for the Council to wait for  
certification by the County Clerk of election results before a mayor can be  
chosen by the Council. In those circumstances, a mayor is usually not elected  
by the Council until December. This means that a Mayor chosen in general  
election years only serves eleven months. On the other hand, a mayor chosen in  
years with no general elections usually serves thirteen months. The proposed  
action would somewhat equalize the terms of mayors appointed in years with  
general elections with those appointed in non-general election years. Council  
consideration and direction is requested.

FUNDING: None required.

Respectfully submitted,

Bob McNatt  
City Attorney

BM:pn

CCMAYOR/TXTA.01V

APPROVED \_\_\_\_\_

THOMAS A. PETERSON  
City Manager



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ORDINANCE NO. 1599

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI  
REPEALING AND REENACTING LODI MUNICIPAL CODE §2.04.070

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. Lodi Municipal Code §2.04.070 - Presiding Officer--Mayor--Mayor Pro Tempore - is hereby repealed and reenacted in its entirety to read as follows:

The presiding officer of the Council shall be the Mayor who shall be elected by the Council annually at the first regular meeting after the canvass of votes done in conjunction with the statewide general election in even-numbered years. In years where there is no general statewide election, the Mayor shall be elected at the first regular meeting in December. At the time of the election of the Mayor, one of the members of the Council shall be chosen as Mayor Pro Tempore. If the Mayor is absent or unable to act, the Mayor Pro Tempore shall serve until the Mayor returns or is able to act. The Mayor shall preserve strict order and decorum at all regular and special meetings of the Council. He shall state every question coming before the Council, call for the vote, announce the decision of the Council on all subjects and decide all questions of order, subject, however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order. He shall sign all ordinances adopted by the Council during his presence. In the event of the absence of the Mayor, the Mayor Pro Tempore shall sign ordinances as then adopted.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. The ordinance shall be published the time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this            day of

\_\_\_\_\_  
JACK A. SIEGLOCK  
Mayor

Attest:

JENNIFER M. PERRIN  
City Clerk

=====  
State of California  
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1599 was introduced at a regular meeting of the City Council of the City of Lodi held July 20, 1994 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held \_\_\_\_\_, 1994 by the following vote:

Ayes:            Council Members -  
Noes:            Council Members -  
Absent:          Council Members -  
Abstain:        Council Members -

I further certify that Ordinance No. 1599 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN  
City Clerk

Approved -s to Form



BOBBY W. McATT  
City Attorney